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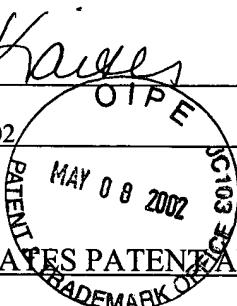
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Lisa Kaiser

Signature Date: May 8, 2002

(Signature)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application )  
Inventor(s): Leisa Johnson et al. ) Group No. 1632  
Application No. 09/714,409 ) Examiner: Nguyen, Dave Trong  
Filed: November 14, 2000 ) Confirmation No. 5051  
Title: An Oncolytic Adenovirus )

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated April 9, 2002, enclosed are the following documents:

- Copy of Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures.
- Paper Copy of Sequence Listing.
- Computer Readable Copy of Sequence Listing.
- Return Postcard.

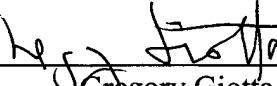
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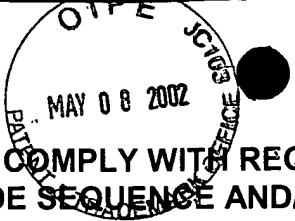
The content of both the paper and computer readable copies of the Sequence Listing are the same and, include no new matter.

The Commissioner is hereby authorized to charge any fees due that may be associated with this communication to U.S.P.T.O. Deposit Account No. 15-0615. Including any extension of time fees that may be due.

Date: May 8, 2002

By:   
Gregory Giotta  
Reg. No. 32,028

ONYX PHARMACEUTICALS, INC.  
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Specification No.: 09/714,409

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1111 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
  - 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
  - 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
  - 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
  - 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
  - 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
  - 7. Other: Please see the attached Raw Sequence Listing Error Summary

## **Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
  - An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
  - A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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